Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION	SERIAL NUMBER: _10/576, 813_

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1 ____ Wrapped Nucleics
Wrapped Aminos

The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."

2 ____ Invalid Line Length

The rules require that a line not exceed 72 characters in length. This includes white spaces.

3 ____ Misaligned Amino
Numbering

The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.

4 ____ Non-ASCII

The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. **Please ensure your subsequent submission is saved in ASCII text.**

5 ____ Variable Length

Sequence(s) ____ contain n's or Xaa's representing more than one residue. **Per Sequence Rules, each n or Xaa can only represent a single residue.** Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.

6 ____ PatentIn 2.0
"bug"

A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. **This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.**

7 ____ Skipped Sequences
(OLD RULES)

Sequence(s) ____ missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i)   SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped

Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.

8 ____ Skipped Sequences
(NEW RULES)

Sequence(s) ____ missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000

9 ____ Use of n's or Xaa's
(NEW RULES)

Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.

10 ____ Invalid <213>
Response

Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence

11 ____ Use of <220>

Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)

12 ____ PatentIn 2.0
"bug"

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.

13 ____ Misuse of n/Xaa

"n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid

PCT

```
 5 <110> APPLICANT: FRASER, JOHN D.
 8 <120> TITLE OF INVENTION: IMMUNOMODULATORY CONSTRUCTS AND THEIR USES
11 <130> FILE REFERENCE: 11752-007US1
14 <140> CURRENT APPLICATION NUMBER: US 10/516,813
15 <141> CURRENT FILING DATE: 2004-12-03
18 <150> PRIOR APPLICATION NUMBER: NZ 519371
19 <151> PRIOR FILING DATE: 2002-06-04
21 <150> PRIOR APPLICATION NUMBER: PCT/NZ03/00111
22 <151> PRIOR FILING DATE: 2003-06-04
25 <160> NUMBER OF SEQ ID NOS: 13
28 <170> SOFTWARE: PatentIn version 3.1
31 <210> SEQ ID NO: 1
33 <211> LENGTH: 209
35 <212> TYPE: PRT
37 <213> ORGANISM: Streptococcus pyogenes
40 <400> SEQUENCE: 1
42 Leu Glu Val Asp Asn Asn Ser Leu Leu Arg Asn Ile Tyr Ser Thr Ile
43 1               5                   10                  15
46 Val Tyr Glu Tyr Ser Asp Ile Val Ile Asp Phe Lys Thr Ser His Asn
47              20                  25                  30
50 Leu Val Thr Lys Lys Leu Asp Val Arg Asp Ala Arg Asp Phe Phe Ile
51          35                  40                  45
54 Asn Ser Glu Met Asp Glu Tyr Ala Ala Asn Asp Phe Lys Thr Gly Asp
55      50                  55                  60
58 Lys Ile Ala Val Phe Ser Val Pro Phe Asp Trp Asn Tyr Leu Ser Lys
59 65                  70                  75                  80
62 Gly Lys Val Thr Ala Tyr Thr Tyr Gly Gly Ile Thr Pro Tyr Gln Lys
63              85                  90                  95
66 Thr Ser Ile Pro Lys Asn Ile Pro Val Asn Leu Trp Ile Asn Gly Lys
67              100                 105                 110
70 Gln Ile Ser Val Pro Tyr Asn Glu Ile Ser Thr Asn Lys Thr Thr Val
71          115                 120                 125
74 Thr Ala Gln Glu Ile Asp Leu Lys Val Arg Lys Phe Leu Ile Ala Gln
75      130                 135                 140
78 His Gln Leu Tyr Ser Ser Gly Ser Ser Tyr Lys Ser Gly Arg Leu Val
79 145                 150                 155                 160
82 Phe His Thr Asn Asp Asn Ser Asp Lys Tyr Ser Phe Asp Leu Phe Tyr
83              165                 170                 175
86 Val Gly Tyr Arg Asp Lys Glu Ser Ile Phe Lys Val Tyr Lys Asp Asn
87              180                 185                 190
90 Lys Ser Phe Asn Ile Asp Lys Ile Gly His Leu Asp Ile Glu Ile Asp
91          195                 200                 205
94 Ser
```

RAW SEQUENCE LISTING   DATE: 12/14/2005
PATENT APPLICATION: US/10/516,813   TIME: 14:50:36

Input Set : A:\11752-007US1.txt
Output Set: N:\CRF4\12142005\J516813.raw

```
98  <210> SEQ ID NO: 2
100 <211> LENGTH: 209
102 <212> TYPE: PRT
104 <213> ORGANISM: Streptococcus pyogenes
108 <400> SEQUENCE: 2
110 Leu Glu Val Asp Asn Asn Ser Leu Leu Arg Asn Ile Tyr Ser Thr Ile
111 1               5                   10                  15
114 Val Tyr Glu Tyr Ser Asp Ile Val Ile Asp Phe Lys Thr Ser His Cys
115             20                  25                  30
118 Leu Val Thr Lys Lys Leu Asp Val Arg Asp Ala Arg Asp Phe Phe Ile
119         35                  40                  45
122 Asn Ser Glu Met Asp Glu Tyr Ala Ala Asn Asp Phe Lys Thr Gly Asp
123     50                  55                  60
126 Lys Ile Ala Val Phe Ser Val Pro Phe Asp Trp Asn Tyr Leu Ser Lys
127 65                  70                  75                  80
130 Gly Lys Val Thr Ala Tyr Thr Tyr Gly Gly Ile Thr Pro Tyr Gln Lys
131             85                  90                  95
134 Thr Ser Ile Pro Lys Asn Ile Pro Val Asn Leu Trp Ile Asn Gly Lys
135             100                 105                 110
138 Gln Ile Ser Val Pro Tyr Asn Glu Ile Ser Thr Asn Lys Thr Thr Val
139         115                 120                 125
142 Thr Ala Gln Glu Ile Asp Leu Lys Val Arg Lys Phe Leu Ile Ala Gln
143     130                 135                 140
146 His Gln Leu Tyr Ser Ser Gly Ser Ser Tyr Lys Ser Gly Arg Leu Val
147 145                 150                 155                 160
150 Phe His Thr Asn Asp Asn Ser Asp Lys Tyr Ser Phe Asp Leu Leu Tyr
151             165                 170                 175
154 Val Gly Tyr Arg Asp Gln Glu Ser Ile Phe Lys Val Tyr Lys Asp Asn
155             180                 185                 190
158 Lys Ser Phe Asn Ile Asp Lys Ile Gly His Leu Asp Ile Glu Ile Asp
159         195                 200                 205
162 Ser
166 <210> SEQ ID NO: 3
168 <211> LENGTH: 209
170 <212> TYPE: PRT
172 <213> ORGANISM: Streptococcus pyogenes
176 <400> SEQUENCE: 3
178 Leu Glu Val Asp Asn Asn Ser Leu Leu Arg Asn Ile Tyr Ser Thr Ile
179 1               5                   10                  15
182 Val Ala Glu Tyr Ser Asp Ile Val Ile Asp Phe Lys Thr Ser His Cys
183             20                  25                  30
186 Leu Val Thr Lys Lys Leu Asp Val Arg Asp Ala Arg Asp Phe Phe Ile
187         35                  40                  45
190 Asn Ser Glu Met Asp Glu Tyr Ala Ala Asn Asp Phe Lys Thr Gly Asp
191     50                  55                  60
194 Lys Ile Ala Val Phe Ser Val Pro Phe Asp Trp Asn Tyr Leu Ser Lys
195 65                  70                  75                  80
198 Gly Lys Val Thr Ala Tyr Thr Tyr Gly Gly Ile Thr Pro Tyr Gln Lys
199             85                  90                  95
```

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING
ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: _10/516, 813_
Source: _PCT_
Date Processed by STIC: _12/14/2005_

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:
1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY
FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.2.2 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:
> http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.
Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.
Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm> , **EFS Submission User Manual** - ePAVE)
2. **U.S. Postal Service:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. **Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):** U.S. Patent and Trademark Office, Mail Stop Sequence. Customer Window, Randolph Building, 401 Dulany Street. Alexandria, VA 22314

Revised 01/24/05

RAW SEQUENCE LISTING   DATE: 12/14/2005
PATENT APPLICATION: US/10/516,813   TIME: 14:50:36

Input Set : A:\11752-007US1.txt
Output Set: N:\CRF4\12142005\J516813.raw

```
202 Thr Ser Ile Pro Lys Asn Ile Pro Val Asn Leu Trp Ile Asn Gly Lys
203             100             105             110
206 Gln Ile Ser Val Pro Tyr Asn Glu Ile Ser Thr Asn Lys Thr Thr Val
207         115             120             125
210 Thr Ala Gln Glu Ile Asp Leu Lys Val Arg Lys Phe Leu Ile Ala Gln
211     130             135             140
214 His Gln Leu Tyr Ser Ser Gly Ser Ser Tyr Lys Ser Gly Arg Leu Val
215 145             150             155             160
218 Phe His Thr Asn Asp Asn Ser Asp Lys Tyr Ser Phe Asp Leu Leu Tyr
219             165             170             175
222 Val Gly Tyr Arg Asp Gln Glu Ser Ile Phe Lys Val Tyr Lys Asp Asn
223         180             185             190
226 Lys Ser Phe Asn Ile Asp Lys Ile Gly His Leu Asp Ile Glu Ile Asp
227         195             200             205
230 Ser
234 <210> SEQ ID NO: 4
236 <211> LENGTH: 27
238 <212> TYPE: DNA
240 <213> ORGANISM: Primer
243 <400> SEQUENCE: 4
244 cgattgtagc tgaatattca gatatag                                27
247 <210> SEQ ID NO: 5
249 <211> LENGTH: 27
251 <212> TYPE: DNA
253 <213> ORGANISM: PRIMER
256 <400> SEQUENCE: 5
257 gaatattcag ctacaatcgt actatag                                27
260 <210> SEQ ID NO: 6
262 <211> LENGTH: 24
264 <212> TYPE: DNA
266 <213> ORGANISM: PRIMER
269 <400> SEQUENCE: 6
270 gatgttagat gtgctagaga tttc                                   24
273 <210> SEQ ID NO: 7
275 <211> LENGTH: 26
277 <212> TYPE: DNA
279 <213> ORGANISM: PRIMER
282 <400> SEQUENCE: 7
283 ctctagcaca tctaacatca agtttc                                 26
286 <210> SEQ ID NO: 8
288 <211> LENGTH: 23
290 <212> TYPE: DNA
292 <213> ORGANISM: PRIMER
295 <400> SEQUENCE: 8
296 ccatttgatt tgaactattt atc                                    23
299 <210> SEQ ID NO: 9
301 <211> LENGTH: 23
303 <212> TYPE: DNA
305 <213> ORGANISM: PRIMER
```

Invalid Respons <2137 Respons can be either Artificial, Unknown or Genus Species. Pls see item #10 on error summary sheet.

RAW SEQUENCE LISTING   DATE: 12/14/2005
PATENT APPLICATION: US/10/516,813   TIME: 14:50:36

     Input Set : A:\11752-007US1.txt
     Output Set: N:\CRF4\12142005\J516813.raw

```
308 <400> SEQUENCE: 9
309 gataaatagt tcaaatcaaa tgg                                      23
312 <210> SEQ ID NO: 10
314 <211> LENGTH: 23
316 <212> TYPE: DNA
318 <213> ORGANISM: PRIMER
321 <400> SEQUENCE: 10
322 gatatagaga tcaagaaagt atc                                      23
325 <210> SEQ ID NO: 11
327 <211> LENGTH: 23
329 <212> TYPE: DNA
331 <213> ORGANISM: PRIMER
335 <400> SEQUENCE: 11
336 gatactttct tgatctctat atc                                      23
339 <210> SEQ ID NO: 12
341 <211> LENGTH: 18
343 <212> TYPE: DNA
345 <213> ORGANISM: PRIMER
348 <400> SEQUENCE: 12
349 accatcctcc aaaatcgg                                            18
352 <210> SEQ ID NO: 13
354 <211> LENGTH: 18
356 <212> TYPE: DNA
358 <213> ORGANISM: PRIMER
361 <400> SEQUENCE: 13
362 tcagaggttt tcaccgtc                                            18
```

Same Error (handwritten annotation)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

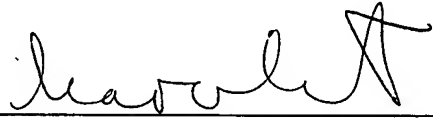|				
Applicant	:	John David Fraser	Art Unit	: Unknown
Serial No.	:	10/516,813	Examiner	: Unknown
Filed	:	December 3, 2004		
Title	:	IMMUNOMODULATORY CONSTRUCTS AND THEIR USES		

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Katica Magovcevic, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1 12 2006

Katica Magovcevic

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
(617) 542-5070 telephone
(617) 542-8906 facsimile

21244182.doc